



09-25-06

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CF-7 Reissue

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Reissue Applicants : Stuart A. Fraser et al.  
Application No. : 09/859,661 Confirmation No. : 3933  
Filed : May 17, 2001  
For : AUTOMATED AUCTION PROTOCOL PROCESSOR  
For Reissue of : 5,905,974 (Issued May 18, 1999)  
Patent No.  
Group Art Unit : 3622  
Examiner : James W. Myhre

Mail Stop Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV669676772US  
Date of Deposit: September 21, 2006

I hereby certify that this certification and the following papers:

1. Supplemental Information Disclosure Statement (in duplicate);
2. PTO/SB/08a Form (in duplicate);
3. Copies of 8 cited references; and
4. Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop Amendment, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Rose Marie Dhanraj*

Name: ROSE MARIE DHANRAJ

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CF-007 Reissue

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Reissue Applicants : Stuart A. Fraser et al.  
Application No. : 09/859,661 Confirmation No.: 3933  
Filed : May 17, 2001  
For : AUTOMATED AUCTION PROTOCOL PROCESSOR  
For Reissue of  
Patent No. : 5,905,974 (Issued May 18, 1999)  
Art Unit : 3622  
Examiner : James W. Myhre

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97, applicants hereby make the documents listed in Appendices A, B, C, and D attached hereto of record in the above-identified patent application.

These documents are listed on the accompanying Form PTO/SB/08a (submitted in duplicate) and copies of the above-listed documents that are not U.S. Patents or U.S. Patent Application Publications are enclosed herewith.

The document in Appendix A came to applicants' attention while prosecuting a foreign counterpart application. The counterpart application is European patent application

No. 97952310.7, filed December 3, 1997, which is a European counterpart of the great grandparent of the above-identified patent application.

The documents in Appendix B came to applicants' attention while prosecuting UK patent application No. 0328894.1, filed May 14, 2002.

The documents in Appendix C came to applicants' attention in a communication from a patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. In particular, these documents were cited in the June 29, 2006 Office Action or in applicants' corresponding International South Korean application No. 10-2001-7007716 filed on November 5, 1999.

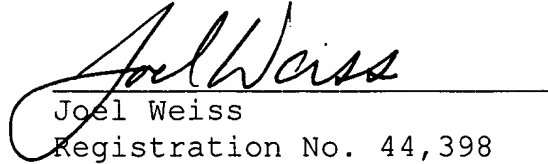
The document in Appendix D came to applicants attention in the litigation styled eSPEED, Inc. et al. v. BROKERTEC USA, L.L.C. et al., D. Del., Civil Action No. 03-612(KAJ) (hereinafter "the eSPEED litigation"). The eSPEED litigation involves U.S. Patent No. 6,560,580, which is a division of this reissue application.

It is respectfully requested that this document be (1) fully considered by the Patent and Trademark Office during examination of this application; and (2) printed on any patent which may issue on this application. Applicants request that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned with the next communication.

The Director is hereby authorized to charge any additional fee that may be due, or credit any overpayment, in connection with this Supplemental Information Disclosure Statement, to Deposit Account No. 06-1075, Order No. 000718-0007. A duplicate copy of this Supplemental Information Disclosure Statement is enclosed herewith.

Consideration of the foregoing in relation to this  
patent application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Joel Weiss", is written over a horizontal line.

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**APPENDIX A**

U.S. Patent Documents

4,141,001          Suzuki et al.    02/20/79

## **APPENDIX B**

### Foreign Patent Documents

EP 0733963B1	Venturedyne Ltd.	09/25/96
GB 2256954A	Marconi Instruments Ltd.	12/23/92
EP 0412308B1	Bekanntmachung des Hinweises auf die	02/13/91
EP 0993995B1	Volkswagen Aktiengesellschaft	04/19/00
WO 87/03115	International Gulf Venture S.A.	05/21/87
WO 85/04271	Fanuc Ltd.	09/26/85

**APPENDIX C**

U.S. Patent Documents

5,689,652          Lupien et al.    11/18/97

Foreign Patent Documents

KR 1992-700435\*          Korea          02/19/92

\*    A copy of an English counterpart PCT Application  
(published as WO 90/11571) of this Korean Patent Document is  
enclosed.

## **APPENDIX D**

### **Non-Patent Literature Documents**

eSPEED, Inc. et al. v. BROKERTEC USA, L.L.C. et al., D. Del.,  
Civil Action No. 03-612(KAJ)- PTS Client v1.1 Beta H:1 - March  
1998 (Exhibits 118-120, 37 pages).





PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANTS</b>  (use as many sheets as necessary)				<b>Complete if known</b>	
				For Reissue of Patent No.	5,905,974(Issued May 18, 1999)
				Application Number	09/859,661
				Confirmation No.	3933
				Filing Date	May 17, 2001
				First Named Inventor	Stuart A. Fraser et al.
				Art Unit	3622
				Examiner	James W. Myhre
				Attorney Docket Number	CF-007 Reissue
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		<b>APPENDIX A</b>			
		4,141,001	02/20/79	Suzuki et al.	
		<b>APPENDIX C</b>			
		5,689,652	11/18/97	Lupien et al.	

Examiner Signature		Date Considered	
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FOREIGN PATENT DOCUMENTS						
Examiner initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T o
		Country Code <sup>1</sup> - Number <sup>2</sup> - Kind Code <sup>3</sup>				
		<b>APPENDIX B</b>				
		EP 0733963B1	09/25/96	Venturedyne Ltd.		
		GB 2256954A	12/23/92	Marconi Instruments Ltd.		
		EP 0412308B1	02/13/91	Bekanntmachung des Hinweises auf die		
		EP 0993995B1	04/19/00	Volkswagen Aktiengesellschaft		
		WO 87/03115	05/21/87	International Gulf Venture S.A.		
		WO 85/04271	09/26/85	Fanuc Ltd.		
		<b>APPENDIX C</b>				
		KR 1992-700435	02/19/92	Chicago Board of Trade		X

Express Mail No.  
EV 669676772 US

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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				Art Unit	3622
				Examiner	James W. Myhre
				Attorney Docket Number	CF-007 Reissue
Sheet	2	of	2		

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
		<b>APPENDIX D</b>	
		eSPEED, Inc. et al. v. BROKERTEC USA, L.L.C. et al., D. Del., Civil Action No. 03- 612(KAJ) - PTS Client v1.1 Beta H:1 - March 1998 (Exhibits 118-120, 37 pages).	

Examiner Signature		Date Considered	
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